

110TH CONGRESS
1ST SESSION

S. 1779

To establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2007

Mr. TESTER (for himself and Mr. DORGAN) introduced the following bill;
which was read twice and referred to the Committee on Indian Affairs

A BILL

To establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Tribal Health Promotion and Tribal Colleges and Uni-
6 versities Advancement Act of 2007”.

1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—THROUGH HIGHER EDUCATION: PROMOTING THE
 ADVANCEMENT OF TRIBAL HEALTH

Sec. 101. Short title.

Sec. 102. Findings and purpose.

Sec. 103. Definitions.

Sec. 104. Administration by coordinating officer.

Sec. 105. Community-based health and wellness fairs.

Sec. 106. Health promotion and disease prevention targeted programs; wellness
 centers.

Sec. 107. Development and expansion of public health professional degree pro-
 grams.

Sec. 108. Tribal College and University Rural Health Equity Endowment
 Fund.

Sec. 109. Offices of sponsored programs.

Sec. 110. Health promotion and disease prevention research programs.

TITLE II—ADVANCING TRIBES THROUGH TRIBAL COLLEGES AND
 UNIVERSITIES

Sec. 201. Short title.

Sec. 202. Findings.

Sec. 203. Office on Tribal College and University Programs.

Sec. 204. Native Prosperity and Native American Language Vitalization and
 Training Programs at TCUs.

Sec. 205. Tribal colleges and universities native communities research program.

Sec. 206. Definitions.

Sec. 207. Authorization of appropriations.

3 **TITLE I—THROUGH HIGHER**
 4 **EDUCATION: PROMOTING**
 5 **THE ADVANCEMENT OF TRIB-**
 6 **AL HEALTH**

7 **SEC. 101. SHORT TITLE.**

8 This title may be cited as the “Through Higher Edu-
 9 cation: Promoting the Advancement of Tribal Health Act”
 10 or “THE PATH Act”.

11 **SEC. 102. FINDINGS AND PURPOSE.**

12 (a) FINDINGS.—Congress finds that—

1 (1) because there is a significant lack of health-
2 related education and training opportunities for In-
3 dians, few Indians are represented in the health-re-
4 lated workforce of the United States;

5 (2) tribal colleges and universities remain the
6 most poorly-funded institutions of higher education
7 in the United States, yet, as engaged institutions,
8 tribal colleges and universities serve as true catalysts
9 for positive change in Indian communities;

10 (3) tribal colleges and universities with nursing
11 programs train hundreds of students to hold criti-
12 cally-needed leadership and management positions in
13 the Indian Health Service, tribal health organiza-
14 tions, and private and community agencies serving
15 rural Indian populations;

16 (4) to the extent that tribal colleges and univer-
17 sities are able, the colleges and universities have
18 begun to address the many societal challenges faced
19 by Indian communities;

20 (5) tribal colleges and universities offer criti-
21 cally-needed education and outreach programs, in-
22 cluding—

23 (A) community health fairs;

24 (B) HIV–AIDS education programs;

25 (C) extensive diabetes programs;

1 (D) nutritional and obesity programs, in-
2 cluding community garden programs;

3 (E) substance abuse prevention programs;

4 (F) youth-at-risk programs;

5 (G) parenting classes; and

6 (H) child and elder care services; and

7 (6) due to a chronic lack of operational and tar-
8 geted program funding, together with the unwilling-
9 ness of certain Federal agencies to recognize tribal
10 colleges and universities as valuable partners in ad-
11 dressing rural community issues, including health
12 issues, tribal colleges and universities have limited
13 resources available to adequately address the peren-
14 nial health challenges of the rural communities
15 served by the tribal colleges and universities.

16 (b) PURPOSE.—The purpose of this title is to assist
17 tribal colleges and universities to strengthen Indian com-
18 munities through the provision of health promotion and
19 disease prevention education, outreach, and workforce de-
20 velopment programs, including through program imple-
21 mentation, research, and capacity-building.

22 **SEC. 103. DEFINITIONS.**

23 In this title:

24 (1) DEPUTY ASSISTANT SECRETARY.—The term
25 “Deputy Assistant Secretary” means the Deputy As-

1 sistant Secretary for Minority Health, within the Of-
2 fice of Public Health and Science.

3 (2) DIRECTOR.—The term “Director” means
4 the Director of the National Institutes of Health.

5 (3) INDIAN.—The term “Indian” has the mean-
6 ing given the term in section 4 of the Indian Health
7 Care Improvement Act (25 U.S.C. 1603).

8 (4) SECRETARY.—The term “Secretary” means
9 the Secretary of Health and Human Services.

10 (5) TRIBAL COLLEGE OR UNIVERSITY.—The
11 term “tribal college or university” means—

12 (A) an institution that is eligible to receive
13 funds under the Tribally Controlled College or
14 University Assistance Act of 1978 (25 U.S.C.
15 1801 et seq.);

16 (B) Diné College; and

17 (C) any 1 of the 1994 Institutions (as de-
18 fined in section 532 of the Equity in Edu-
19 cational Land-Grant Status Act of 1994 (7
20 U.S.C. 301 note; Public Law 103–382)).

21 **SEC. 104. ADMINISTRATION BY COORDINATING OFFICER.**

22 (a) DESIGNATION.—The Deputy Assistant Secretary
23 shall serve as the coordinating officer with respect to pro-
24 grams of tribal colleges and universities relating to health
25 promotion and disease prevention.

1 (b) STAFF.—The Secretary shall appoint such addi-
 2 tional staff as the Secretary determines to be necessary—

3 (1) to assist the Deputy Assistant Secretary in
 4 carrying out the duties under this section; and

5 (2) to provide appropriate technical assistance
 6 to tribal colleges and universities that receive grants
 7 or enter into cooperative agreements under this title.

8 (c) MEMORANDUM OF AGREEMENT.—Not later than
 9 180 days after the date of enactment of this Act, the Sec-
 10 retary, in consultation with the Deputy Assistant Sec-
 11 retary, shall develop and implement a formal memo-
 12 randum of agreement with the American Indian Higher
 13 Education Consortium to establish programs—

14 (1) to ensure that Native American commu-
 15 nities, through tribal colleges and universities, par-
 16 ticipate equitably in employment programs, services,
 17 and resources of the Department of Health and
 18 Human Services; and

19 (2) to provide necessary technical assistance to
 20 the tribal colleges and universities.

21 **SEC. 105. COMMUNITY-BASED HEALTH AND WELLNESS**

22 **FAIRS.**

23 (a) ESTABLISHMENT.—The Secretary, acting
 24 through the Deputy Assistant Secretary, shall establish a
 25 program under which the Secretary shall provide grants

1 to, or offer to enter into cooperative agreements with, trib-
2 al colleges and universities to carry out annual, commu-
3 nity-based, and culturally relevant health and wellness
4 fairs at the tribal colleges and universities.

5 (b) FUNDING.—

6 (1) AUTHORIZATION OF APPROPRIATIONS.—

7 There is authorized to be appropriated to the Sec-
8 retary to carry out this section for each of fiscal
9 years 2009 through 2017 an amount equal to the
10 sum of—

11 (A) the product obtained by multiplying—

12 (i) the number of tribal colleges and
13 universities in operation on October 1 of
14 the fiscal year; and

15 (ii) \$15,000; and

16 (B) such amount as the Secretary deter-
17 mines to be necessary for the costs of admin-
18 istering the program under this section.

19 (2) TOTAL AMOUNT.—Subject to paragraph
20 (3), the Secretary shall use all amounts made avail-
21 able under paragraph (1)(A) to provide grants or
22 enter into cooperative agreements pursuant to this
23 section.

24 (3) NONAPPLICABILITY OF LIMITATION.—The
25 limitation under section 1703(c) of the Public

1 Health Service Act (42 U.S.C. 300u-2(c)) shall not
2 apply to this section.

3 **SEC. 106. HEALTH PROMOTION AND DISEASE PREVENTION**

4 **TARGETED PROGRAMS; WELLNESS CENTERS.**

5 (a) HEALTH PROMOTION AND DISEASE PREVENTION
6 TARGETED PROGRAMS.—

7 (1) ESTABLISHMENT.—The Secretary, acting
8 through the Deputy Assistant Secretary, shall estab-
9 lish a program under which the Secretary shall pro-
10 vide grants to, or offer to enter into cooperative
11 agreements with, tribal colleges and universities to
12 carry out activities to improve and expand the ca-
13 pacity of the tribal colleges and universities—

14 (A) to carry out activities relating to
15 health promotion and disease prevention; and

16 (B) to eliminate health disparities in tribal
17 communities, to the maximum extent prac-
18 ticable.

19 (2) REQUIREMENTS.—In providing grants and
20 entering into cooperative agreements under this sub-
21 section, the Secretary, to the maximum extent prac-
22 ticable, shall—

23 (A) approve applications on a competitive
24 basis; and

1 (B) ensure maximum and equitable dis-
2 tribution among eligible tribal colleges and uni-
3 versities.

4 (3) APPLICATION.—

5 (A) IN GENERAL.—To be eligible to receive
6 a grant or enter into a cooperative agreement
7 under this subsection, a tribal college or univer-
8 sity shall submit to the Secretary an application
9 at such time and in such manner as the Sec-
10 retary may reasonably require.

11 (B) INCLUSION.—An application under
12 subparagraph (A) shall include a description of
13 a 5-year strategy of the applicable tribal college
14 or university for meeting the health promotion
15 and disease prevention needs of Indians or
16 Alaska Natives, as appropriate, in the area
17 served by the tribal college or university.

18 (C) STREAMLINED PROCEDURE.—The Sec-
19 retary shall ensure, to the maximum extent
20 practicable, a simplified and streamlined proce-
21 dure for the submission and approval of appli-
22 cations under subparagraph (A), taking into
23 consideration the limited number of institutions
24 that are eligible to receive assistance under this
25 subsection.

1 (4) ACTIVITIES.—A tribal college or university
2 that receives a grant or enters into a cooperative
3 agreement under this subsection may use the grant
4 or cooperative agreement to develop and carry out
5 activities to address targeted areas of health pro-
6 motion and disease prevention in tribal communities,
7 including activities relating to—

8 (A) diabetes education and prevention;

9 (B) injury prevention;

10 (C) substance abuse, including meth-
11 amphetamine abuse;

12 (D) HIV–AIDS prevention;

13 (E) emerging health promotion and disease
14 prevention program and response development;
15 and

16 (F) obesity and nutrition.

17 (5) AUTHORIZATION OF APPROPRIATIONS.—

18 There is authorized to be appropriated to carry out
19 this subsection \$10,000,000 for each of fiscal years
20 2009 through 2017.

21 (b) WELLNESS CENTERS.—

22 (1) ESTABLISHMENT.—The Secretary, acting
23 through the Deputy Assistant Secretary, shall estab-
24 lish a program under which the Secretary shall pro-

1 vide grants to tribal colleges and universities for
2 purposes of—

3 (A) construction, renovation, and mod-
4 ernization of community wellness centers lo-
5 cated on the campuses of the tribal colleges and
6 universities; and

7 (B) construction, renovation, and mod-
8 ernization of outpatient student health clinics
9 located on those campuses.

10 (2) MAXIMUM AMOUNT.—

11 (A) IN GENERAL.—Except as provided in
12 subparagraph (B), the maximum amount of a
13 grant provided under paragraph (1) shall not
14 exceed an amount equal to 95 percent of the
15 cost of the project carried out by the applicable
16 tribal college or university.

17 (B) EXCEPTION.—The limitation under
18 subparagraph (A) shall not apply to a tribal
19 college or university located in, as determined
20 by the Secretary—

21 (i) an urban area; or

22 (ii) a poor rural area.

23 (3) AUTHORIZATION OF APPROPRIATIONS.—

24 There is authorized to be appropriated to carry out

1 this subsection \$15,000,000 for each of fiscal years
2 2009 through 2017.

3 **SEC. 107. DEVELOPMENT AND EXPANSION OF PUBLIC**
4 **HEALTH PROFESSIONAL DEGREE PRO-**
5 **GRAMS.**

6 (a) ESTABLISHMENT.—The Secretary, acting
7 through the Administrator of the Health Resources and
8 Services Administration, shall establish a program under
9 which the Secretary shall provide grants to tribal colleges
10 and universities for purposes of developing curricula,
11 courses, and degree and in-service programs for health-
12 related professions.

13 (b) APPLICATION.—

14 (1) IN GENERAL.—To be eligible to receive a
15 grant under this subsection, a tribal college or uni-
16 versity shall submit to the Secretary an application
17 at such time and in such manner as the Secretary
18 may reasonably require.

19 (2) INCLUSION.—An application under para-
20 graph (1) shall include a description of a 5-year
21 strategy of the applicable tribal college or university
22 for increasing the number of Indians in the health
23 workforce of the United States.

24 (3) STREAMLINED PROCEDURE.—The Secretary
25 shall ensure, to the maximum extent practicable, a

1 simplified and streamlined procedure for the submis-
2 sion and approval of applications under paragraph
3 (1), taking into consideration the limited number of
4 institutions that are eligible to receive assistance
5 under this section.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to carry out this subsection
8 \$10,000,000 for each of fiscal years 2009 through 2017.

9 **SEC. 108. TRIBAL COLLEGE AND UNIVERSITY RURAL**
10 **HEALTH EQUITY ENDOWMENT FUND.**

11 (a) ESTABLISHMENT.—There is established in the
12 Treasury of the United States a fund, to be known as the
13 “Tribal College and University Rural Health Equity En-
14 dowment Fund” (referred to in this section as the
15 “Fund”), consisting of—

16 (1) such amounts as are appropriated to the
17 Fund under subsection (b); and

18 (2) any interest earned on those amounts.

19 (b) TRANSFERS TO FUND.—There is appropriated to
20 the Fund, out of funds of the Treasury not otherwise ap-
21 propriated, \$9,000,000 for each of fiscal years 2009
22 through 2017.

23 (c) INVESTMENTS.—The Secretary shall invest
24 amounts in the Fund in interest-bearing obligations of the
25 United States.

1 (d) EXPENDITURES FROM FUND.—

2 (1) IN GENERAL.—Subject to paragraph (2), on
3 September 30 of fiscal year 2009 and annually
4 thereafter through September 30, 2017, on request
5 by the Secretary, the Secretary of the Treasury shall
6 transfer from the Fund to the Secretary an amount
7 equal to the amount of interest income earned on
8 amounts in the Fund during the preceding fiscal
9 year.

10 (2) ADMINISTRATIVE EXPENSES.—An amount
11 not exceeding 1 percent of the annual interest yield
12 distributed to tribal colleges and universities shall be
13 available for each fiscal year to pay the administra-
14 tive expenses necessary to carry out this section.

15 (e) DISTRIBUTION OF AMOUNTS.—Of amounts trans-
16 ferred under subsection (d)(1), the Secretary shall dis-
17 tribute—

18 (1) 60 percent to tribal colleges and universities
19 on a pro rata basis, based on the proportion that—

20 (A) the Indian student count (as defined in
21 section 2(a) of the Tribally Controlled College
22 or University Assistance Act of 1978 (25
23 U.S.C. 1801(a)) of a tribal college or university
24 for the applicable fiscal year; bears to

1 (B) the Indian student count of all tribal
2 colleges and universities for that fiscal year;
3 and

4 (2) 40 percent in payments of equal amounts to
5 each tribal college and university.

6 (f) USE OF FUNDS.—A tribal college or university
7 shall use amounts received under this section to establish
8 an endowment for a rural health-related program at the
9 tribal college or university.

10 **SEC. 109. OFFICES OF SPONSORED PROGRAMS.**

11 (a) ESTABLISHMENT.—The Secretary, acting
12 through the Director, shall establish a program under
13 which the Secretary shall provide grants to tribal colleges
14 and universities to establish and maintain at the tribal col-
15 leges and universities offices of sponsored programs de-
16 scribed in subsection (b).

17 (b) SPONSORED PROGRAMS.—The sponsored pro-
18 grams referred to in subsection (a) include programs for—

19 (1) pre- and post-grant award research, data
20 collection, and analyses, through a method that en-
21 sures—

22 (A) proper documentation of relevant ap-
23 plications; and

24 (B) compliance with applicable regulations
25 and guidelines;

1 (2) advancing specific institutional grant appli-
2 cation procedures and processes through coordina-
3 tion of external funding sources and faculty, staff,
4 and financial officers;

5 (3) assisting in negotiations with Federal fund-
6 ing sources;

7 (4) providing liaisons with Federal counterparts
8 of tribal colleges and universities—

9 (A) to train and assist principal investiga-
10 tors, faculty, and college staff with respect to
11 grant management, reporting, and program im-
12 plementation; and

13 (B) to ensure that applicable deadlines are
14 met and required reports are completed;

15 (5) coordinating partnerships between tribal
16 colleges and universities, Federal agencies, and the
17 private sector for collaborative programs and activi-
18 ties; and

19 (6) in consultation with Federal agencies, iden-
20 tifying and proposing solutions to—

21 (A) obstacles relating to Federal agency
22 grant application procedures and requirements;
23 and

24 (B) other problems relating to Federal
25 grant program structures and requirements.

1 (c) APPLICATION.—

2 (1) IN GENERAL.—To be eligible to receive a
3 grant under this section, a tribal college or univer-
4 sity shall submit to the Secretary an application at
5 such time and in such manner as the Secretary may
6 reasonably require.

7 (2) INCLUSION.—An application under para-
8 graph (1) shall include a description of a 5-year
9 strategy of the applicable tribal college or university
10 for carrying out a sponsored program at the tribal
11 college or university, including performance indica-
12 tors by which success of the tribal college or univer-
13 sity will be evaluated.

14 (d) DISTRIBUTION OF FUNDS.—For each of fiscal
15 years 2009 through 2017, the Secretary, acting through
16 the Director, shall provide to each tribal college and uni-
17 versity the application of which is approved under sub-
18 section (c) a grant in an amount equal to the quotient
19 obtained by dividing—

20 (1) the total amount made available under sub-
21 section (f) for the fiscal year; by

22 (2) the number of tribal colleges and univer-
23 sities the applications of which are approved under
24 subsection (c) for the fiscal year.

1 (e) REPORTS.—For each of fiscal years 2010 through
2 2018, each tribal college or university that receives a grant
3 under this section shall submit to the Director a report
4 describing the success of the office of sponsored programs
5 of the tribal college or university during the preceding fis-
6 cal year, as determined in accordance with the perform-
7 ance indicators contained in the application of the tribal
8 college or university under subsection (c)(2).

9 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to carry out this section for
11 each of fiscal years 2009 through 2017 an amount equal
12 to the product obtained by multiplying—

13 (1) the number of tribal colleges and univer-
14 sities in operation on October 1 of the applicable fis-
15 cal year; and

16 (2) \$50,000.

17 **SEC. 110. HEALTH PROMOTION AND DISEASE PREVENTION**
18 **RESEARCH PROGRAMS.**

19 (a) ESTABLISHMENT.—The Secretary, acting
20 through the Director, shall establish a program under
21 which the Secretary shall provide grants to, or offer to
22 enter into cooperative agreements with, tribal colleges and
23 universities to conduct research relating to health pro-
24 motion and disease prevention at the tribal colleges and
25 universities.

1 (b) REQUIREMENTS.—

2 (1) COMPETITION.—The Secretary shall provide
3 grants and offer to enter into cooperative agree-
4 ments under subsection (a) on a competitive basis.

5 (2) GENERAL TERMS AND AMOUNTS.—Except
6 as provided in paragraph (3)—

7 (A) the term of a grant or cooperative
8 agreement under subsection (a) shall be not
9 more than 3 years; and

10 (B) the minimum amount of a grant under
11 subsection (a) for a fiscal year shall be
12 \$150,000.

13 (3) UNDERGRADUATE RESEARCH EXPERIENCE
14 PROGRAMS.—With respect to a grant or cooperative
15 agreement provided for an undergraduate research
16 experience program under subsection (d)(3)—

17 (A) the term of such a grant or cooperative
18 agreement shall be not more than 1 year; and

19 (B) the minimum amount of such a grant
20 for a fiscal year shall be \$10,000.

21 (c) APPLICATION.—

22 (1) IN GENERAL.—To be eligible to receive a
23 grant, or to enter into a cooperative agreement,
24 under this subsection, a tribal college or university
25 shall submit to the Secretary an application at such

1 time and in such manner as the Secretary may rea-
2 sonably require.

3 (2) STREAMLINED PROCEDURE.—The Secretary
4 shall ensure, to the maximum extent practicable, a
5 simplified and streamlined procedure for the submis-
6 sion and approval of applications under paragraph
7 (1), taking into consideration the limited number of
8 institutions that are eligible to receive assistance
9 under this section.

10 (d) ACTIVITIES.—A tribal college or university that
11 receives a grant or enters into a cooperative agreement
12 under this section may use the grant or cooperative agree-
13 ment to carry out activities, including—

14 (1) research on culturally relevant and innova-
15 tive health promotion and disease prevention strate-
16 gies;

17 (2) epidemiological research on the health sta-
18 tus of Indian populations and communities; and

19 (3) undergraduate research experience pro-
20 grams as the tribal college or university determines
21 to be appropriate.

22 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to carry out this section
24 \$12,000,000 for each of fiscal years 2009 through 2017.

1 **TITLE II—ADVANCING TRIBES**
2 **THROUGH TRIBAL COLLEGES**
3 **AND UNIVERSITIES**

4 **SEC. 201. SHORT TITLE.**

5 This title may be cited as the “Advancing Tribes
6 Through Tribal Colleges and Universities Act” or the “AT
7 TCUs Act”.

8 **SEC. 202. FINDINGS.**

9 Congress finds that—

10 (1) a primary goal of providing Federal support
11 for higher education is to ensure social and economic
12 self-sufficiency and growth for all residents of the
13 United States;

14 (2) social and economic underdevelopment is
15 the primary obstacle to the self-sufficiency of Indian
16 communities and families;

17 (3) research has demonstrated that higher edu-
18 cation is a primary method of achieving economic
19 and social development for Indian communities;

20 (4) tribal colleges and universities are institu-
21 tions of higher education created by Indians for In-
22 dians primarily on rural and isolated Indian reserva-
23 tions, which were virtually excluded from the general
24 system of higher education in the United States;

1 (5) underlying goals of tribal colleges and uni-
2 versities are—

3 (A) to improve the lives of Indians through
4 higher education; and

5 (B) to assist Indians in achieving self-suffi-
6 ciency;

7 (6) tribal colleges and universities—

8 (A) offer a variety of social services for
9 students and community members; and

10 (B) often serve as community centers, li-
11 braries, tribal archives, career and business cen-
12 ters, economic development centers, public
13 meeting places, and childcare and wellness cen-
14 ters;

15 (7) tribal colleges and universities and students
16 of those colleges or universities contribute signifi-
17 cantly to the economic and social health of Indian
18 communities;

19 (8)(A) tribal colleges and universities have been
20 more successful than any other institution of higher
21 education in educating and helping to retain Indians
22 in high-need fields, such as nursing and teaching;

23 (B) data from 2005 indicates that—

1 (i) approximately 1/2 of all graduates of
2 tribal colleges and universities pursue advanced
3 education; and

4 (ii) of those graduates, more than 86 per-
5 cent pursue bachelor's degrees;

6 (9) individuals, including Indians, with bach-
7 elor's or advanced degrees earn—

8 (A) almost 4 times as much as individuals
9 who do not graduate from high school; and

10 (B) more than twice as much as individ-
11 uals with high school diplomas;

12 (10) of the 155 indigenous languages spoken in
13 the United States as of the date of enactment of this
14 Act, 135 are spoken only by Indian elders;

15 (11)(A) language and culture are at the heart
16 of the mission of each tribal college and university;

17 (B) tribal colleges and universities—

18 (i) play a strong leadership role in Native
19 American language immersion; and

20 (ii) are responsible for the majority of the
21 approximately 50 Native American language
22 immersion programs in the United States; and

23 (12) despite the proven success of Native Amer-
24 ican language preservation and vitalization efforts of
25 tribal colleges and universities, only minimal Federal

1 and private sector resources are used for the activi-
2 ties.

3 **SEC. 203. OFFICE ON TRIBAL COLLEGE AND UNIVERSITY**
4 **PROGRAMS.**

5 Section 803B of the Native American Programs Act
6 of 1974 (42 U.S.C. 2991b-2) is amended—

7 (1) by redesignating subsection (e) as sub-
8 section (f); and

9 (2) by inserting after subsection (d) the fol-
10 lowing:

11 “(e) OFFICE ON TRIBAL COLLEGE AND UNIVERSITY
12 PROGRAMS.—

13 “(1) ESTABLISHMENT.—There is established
14 within the Administration on Native Americans an
15 office, to be known as the ‘Office on Tribal College
16 and University Programs’ (referred to in this sub-
17 section as the ‘Office’), for the purposes of—

18 “(A) administering the programs author-
19 ized by this Act; and

20 “(B) coordinating intra- and inter-depart-
21 mental activities relating to tribal colleges and
22 universities.

23 “(2) DIRECTOR.—The Secretary shall appoint a
24 Director of the Office, who shall—

25 “(A) serve on a full-time basis; and

1 “(B) carry out the duties described in
2 paragraph (1).

3 “(3) STAFF.—The Secretary shall appoint such
4 additional staff as the Secretary determines to be
5 necessary—

6 “(A) to assist the Director in carrying out
7 the duties described in paragraph (1); and

8 “(B) to provide appropriate technical as-
9 sistance to tribal colleges and universities that
10 receive grants or enter into cooperative agree-
11 ments under this Act.

12 “(4) TECHNICAL ASSISTANCE.—To ensure that
13 tribal colleges and universities receive timely, equi-
14 table, and culturally-relevant technical assistance
15 under section 804, the Secretary, acting through the
16 Commissioner, may enter into any cooperative agree-
17 ment the Secretary determines to be necessary with
18 the American Indian Higher Education Consor-
19 tium.”.

20 **SEC. 204. NATIVE PROSPERITY AND NATIVE AMERICAN**
21 **LANGUAGE VITALIZATION AND TRAINING**
22 **PROGRAMS AT TCUS.**

23 (a) IN GENERAL.—The Native American Programs
24 Act of 1974 is amended by inserting after section 803C
25 (42 U.S.C. 2991b–3) the following:

1 **“SEC. 803D. NATIVE PROSPERITY AND NATIVE AMERICAN**
2 **LANGUAGE VITALIZATION AND TRAINING**
3 **PROGRAMS AT TCUS.**

4 “(a) NATIVE PROSPERITY PROGRAM.—

5 “(1) ESTABLISHMENT.—The Secretary, acting
6 through the Commissioner, shall establish a pro-
7 gram, to be known as the ‘Native Prosperity Pro-
8 gram’, under which the Secretary shall provide
9 grants to, or offer to enter into cooperative agree-
10 ments with, eligible tribal colleges and universities to
11 promote economic development, entrepreneurship,
12 community development, and sound fiscal leadership
13 in Indian communities.

14 “(2) REQUIREMENTS.—

15 “(A) IN GENERAL.—Except as provided in
16 subparagraph (B)—

17 “(i) the Secretary shall provide grants
18 and offer to enter into cooperative agree-
19 ments under paragraph (1) on a competi-
20 tive basis; and

21 “(ii) the term of a grant or coopera-
22 tive agreement under paragraph (1) shall
23 be not more than 5 years.

24 “(B) EXCEPTION.—If the Secretary deter-
25 mines that a tribal college or university that re-
26 ceives a grant or enters into a cooperative

1 agreement under this subsection has performed
2 satisfactorily throughout the initial 5-year term
3 of the grant or cooperative agreement under
4 subparagraph (A)(ii)—

5 “(i) the tribal college or university
6 may submit to the Secretary an application
7 to extend the grant or cooperative agree-
8 ment, as applicable, for a period of not
9 more than 3 additional years; and

10 “(ii) the Secretary may waive the
11 competitiveness requirement of subpara-
12 graph (A)(i) with respect to the applica-
13 tion.

14 “(3) APPLICATION.—

15 “(A) IN GENERAL.—To be eligible to re-
16 ceive a grant or enter into a cooperative agree-
17 ment under this subsection, a tribal college or
18 university shall submit to the Secretary an ap-
19 plication at such time and in such manner as
20 the Secretary may reasonably require.

21 “(B) PROGRAM PLAN.—

22 “(i) IN GENERAL.—An application
23 under subparagraph (A) shall include a
24 plan for the program proposed to be car-
25 ried out by the eligible tribal college or

1 university using the grant or pursuant to
2 the cooperative agreement, as applicable.

3 “(ii) INCLUSIONS.—A program plan
4 under subparagraph (A) shall include—

5 “(I) a description of a 5-year
6 strategy of the applicable tribal col-
7 lege or university for meeting the
8 needs of Indians or Alaska Natives, as
9 appropriate, in the area served by the
10 tribal college or university;

11 “(II) an identification of the pop-
12 ulation to be served by the tribal col-
13 lege or university;

14 “(III) an identification of the
15 education and employment needs of
16 that population and a description of
17 the manner in which the program
18 will—

19 “(aa) strengthen the eco-
20 nomic development potential of
21 the population; or

22 “(bb) contribute to the de-
23 velopment of high-quality local
24 and community services;

1 “(IV) a description of the serv-
2 ices to be provided under the pro-
3 gram, including the manner in which
4 the services will be integrated with
5 other appropriate activities; and

6 “(V) a description, to be pre-
7 pared in consultation with the Sec-
8 retary, of the performance measures
9 to be used to assess the performance
10 of the tribal college or university in
11 carrying out the program.

12 “(iii) REQUIREMENT.—A program
13 plan shall be consistent with the purposes
14 of this section, as determined by the Sec-
15 retary.

16 “(4) ACTIVITIES.—A tribal college or university
17 that receives a grant or enters into a cooperative
18 agreement under this subsection may use the grant
19 or cooperative agreement to carry out activities, in-
20 cluding—

21 “(A) microenterprise development;

22 “(B) business development and administra-
23 tion courses and degree programs;

24 “(C) entrepreneurship programs;

1 “(D) municipality planning and adminis-
2 tration courses, degree programs, and in-service
3 training; and

4 “(E) executive leadership training in eco-
5 nomic development, planning, and emerging
6 management issues.

7 “(5) AUTHORIZATION OF APPROPRIATIONS.—
8 There is authorized to be appropriated to carry out
9 this subsection \$12,000,000 for each of fiscal years
10 2009 through 2012.

11 “(b) NATIVE AMERICAN LANGUAGE VITALIZATION
12 AND TRAINING PROGRAM.—

13 “(1) IN GENERAL.—The Secretary, acting
14 through the Commissioner, shall establish a pro-
15 gram, to be known as the ‘Native American Lan-
16 guage Vitalization and Training Program’, under
17 which the Secretary shall provide grants to, or offer
18 to enter into cooperative agreements with, eligible
19 tribal colleges and universities to promote the pres-
20 ervation, revitalization, relevancy, and use of Native
21 American languages.

22 “(2) REQUIREMENTS.—

23 “(A) IN GENERAL.—Except as provided in
24 subparagraph (B)—

1 “(i) the Secretary shall provide grants
2 and offer to enter into cooperative agree-
3 ments under paragraph (1) on a competi-
4 tive basis; and

5 “(ii) the term of a grant or coopera-
6 tive agreement under paragraph (1) shall
7 be not more than 5 years.

8 “(B) EXCEPTION.—If the Secretary deter-
9 mines that a tribal college or university that re-
10 ceives a grant or enters into a cooperative
11 agreement under this subsection has performed
12 satisfactorily throughout the initial 5-year term
13 of the grant or cooperative agreement under
14 subparagraph (A)(ii)—

15 “(i) the tribal college or university
16 may submit to the Secretary an application
17 to extend the grant or cooperative agree-
18 ment, as applicable, for a period of not
19 more than 3 additional years; and

20 “(ii) the Secretary may waive the
21 competitiveness requirement of subpara-
22 graph (A)(i) with respect to the applica-
23 tion.

24 “(3) APPLICATION.—

1 “(A) IN GENERAL.—To be eligible to re-
2 ceive a grant or enter into a cooperative agree-
3 ment under this subsection, a tribal college or
4 university shall submit to the Secretary an ap-
5 plication at such time and in such manner as
6 the Secretary may reasonably require.

7 “(B) PROGRAM PLAN.—

8 “(i) IN GENERAL.—An application
9 under subparagraph (A) shall include a
10 plan for the program proposed to be car-
11 ried out by the eligible tribal college or
12 university using the grant or pursuant to
13 the cooperative agreement, as applicable.

14 “(ii) INCLUSIONS.—A program plan
15 under subparagraph (A) shall include—

16 “(I) a description of a 5-year
17 strategy of the applicable tribal col-
18 lege or university for meeting the
19 needs of Indians or Alaska Natives, as
20 appropriate, in the area served by the
21 tribal college or university;

22 “(II) an identification of the pop-
23 ulation to be served by the tribal col-
24 lege or university;

1 “(III) an identification of the
2 status of Native American language
3 understanding and use within that
4 population and a description of the
5 manner in which the program will
6 help preserve and revitalize the rel-
7 evant Native American language;

8 “(IV) a description of the serv-
9 ices to be provided under the pro-
10 gram, including the manner in which
11 the services will be integrated with
12 other appropriate activities; and

13 “(V) a description, to be pre-
14 pared in consultation with the Sec-
15 retary, of the performance measures
16 to be used to assess the performance
17 of the tribal college or university in
18 carrying out the program.

19 “(iii) REQUIREMENT.—A program
20 plan shall be consistent with the purposes
21 of this section, as determined by the Sec-
22 retary.

23 “(4) ACTIVITIES.—A tribal college or university
24 that receives a grant or enters into a cooperative
25 agreement under this subsection may use the grant

1 or cooperative agreement to carry out activities, in-
2 cluding—

3 “(A) curricula development and academic
4 instruction, including educational activities, pro-
5 grams, and partnerships relating to students in
6 prekindergarten through grade 12;

7 “(B) professional development for college
8 and university faculty and in-service training
9 programs for prekindergarten through grade 12
10 instructors and administrators; and

11 “(C) innovative Native American language
12 programs for students in prekindergarten
13 through grade 12, including language immer-
14 sion programs.

15 “(5) AUTHORIZATION OF APPROPRIATIONS.—
16 There is authorized to be appropriated to carry out
17 this subsection \$12,000,000 for each of fiscal years
18 2009 through 2012.”.

19 (b) CONFORMING AMENDMENT.—The section head-
20 ing of section 803C of the Native American Programs Act
21 of 1974 (42 U.S.C. 2991b–3) is amended by inserting
22 “**GENERAL**” before “**GRANT PROGRAM**”.

1 **SEC. 205. TRIBAL COLLEGES AND UNIVERSITIES NATIVE**
 2 **COMMUNITIES RESEARCH PROGRAM.**

3 Section 805 of the Native American Programs Act
 4 of 1974 (42 U.S.C. 2991d) is amended—

5 (1) by redesignating subsection (b) as sub-
 6 section (c); and

7 (2) by inserting after subsection (a) the fol-
 8 lowing:

9 “(b) TRIBAL COLLEGES AND UNIVERSITIES NATIVE
 10 COMMUNITIES RESEARCH PROGRAM.—

11 “(1) IN GENERAL.—The Secretary, acting
 12 through the Commissioner, shall provide grants to,
 13 or offer to enter into cooperative agreements with,
 14 eligible tribal colleges and universities to conduct re-
 15 search in accordance with the purposes of this Act.

16 “(2) REQUIREMENTS.—

17 “(A) COMPETITION.—The Secretary shall
 18 provide grants and offer to enter into coopera-
 19 tive agreements under paragraph (1) on a com-
 20 petitive basis.

21 “(B) TERM.—The term of a grant or coop-
 22 erative agreement under paragraph (1) shall be
 23 not more than 3 years.

24 “(3) APPLICATION.—

25 “(A) IN GENERAL.—To be eligible to re-
 26 ceive a grant or enter into a cooperative agree-

1 ment under this subsection, a tribal college or
2 university shall submit to the Secretary an ap-
3 plication at such time and in such manner as
4 the Secretary may reasonably require.

5 “(B) INCLUSION.—An application under
6 subparagraph (A) shall include a plan for the
7 program proposed to be carried out by the eligi-
8 ble tribal college or university using the grant
9 or pursuant to the cooperative agreement, as
10 applicable.

11 “(4) ACTIVITIES.—A tribal college or university
12 that receives a grant or enters into a cooperative
13 agreement under this subsection may use the grant
14 or cooperative agreement to carry out activities, in-
15 cluding—

16 “(A) community-based social science re-
17 search;

18 “(B) Native American language preserva-
19 tion and vitalization research; and

20 “(C) economic development research, in-
21 cluding research relating to—

22 “(i) workforce inventory and indus-
23 trial analysis;

24 “(ii) community development through
25 coordinated planning; and

1 “(iii) multistakeholder partnership
2 models.

3 “(5) AUTHORIZATION OF APPROPRIATIONS.—
4 There is authorized to be appropriated to carry out
5 this subsection \$10,000,000 for each of fiscal years
6 2009 through 2012.”.

7 **SEC. 206. DEFINITIONS.**

8 Section 815 of the Native American Programs Act
9 of 1974 (42 U.S.C. 2992c) is amended—

10 (1) in paragraph (5), by striking “and” at the
11 end;

12 (2) in paragraph (6), by striking the period at
13 the end and inserting “; and”; and

14 (3) by adding at the end the following:

15 “(7) the term ‘tribal college or university’
16 means—

17 “(A) an institution that is eligible to re-
18 ceive funds under the Tribally Controlled Col-
19 lege or University Assistance Act of 1978 (25
20 U.S.C. 1801 et seq.);

21 “(B) Diné College; and

22 “(C) any 1 of the 1994 Institutions (as de-
23 fined in section 532 of the Equity in Edu-
24 cational Land-Grant Status Act of 1994 (7
25 U.S.C. 301 note; Public Law 103–382)).”.

1 **SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 816 of the Native American Programs Act
3 of 1974 (42 U.S.C. 2992d) is amended—

4 (1) in subsections (a), (c), and (e), by striking
5 “fiscal years 1999, 2000, 2001, and 2002” each
6 place it appears and inserting “fiscal years 2008
7 through 2012”;

8 (2) in subsections (a) and (b), by striking “sub-
9 section (e)” each place it appears and inserting
10 “subsection (d)”;

11 (3) by striking subsection (d); and

12 (4) by redesignating subsection (e) as sub-
13 section (d).

○